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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,661	12/14/2000	Arturo A. Rodriguez	A-6280	8279

7590 09/22/2005

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EXAMINER	
AN, SHAWN S	

ART UNIT	PAPER NUMBER
2613	

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/736,661	RODRIGUEZ ET AL.	
	Examiner	Art Unit	
	Shawn S. An	2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 June 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *38,39 and 51-60* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *38,39 and 51-60* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Restriction/Election

1. Applicant's election without traverse of the Species X (Fig. 6) corresponding to claims 38-39 and 51-60, in the reply filed on 6/30/05, has been acknowledged.

Response to Remarks

2. Applicant's arguments with respect to amended and newly added claims as filed on 10/21/04 have been carefully considered but are moot in view of the new grounds of rejection incorporating the previously cited prior arts.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 38-39 and 51-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce et al (5,614,952) in view of Kalra et al (5,953,506).

Regarding claims 38 and 51, Boyce et al discloses a video decoding system and a method for adapting to resource constraints, comprising:

foregoing decoding of portions of received video input (Fig. 1, 126);

retrieving a first set of video data from a memory component (116), wherein the memory component stores compressed video data (116) and the decompressed video data (118), wherein the first set of video data corresponds to a first video picture;

scaling the first set of video data into a second set of video data corresponding to a second video picture that is smaller than the first video picture (126);

transmitting the second set of video data to a display device (Fig. 1, To Display), wherein the second set of video data is not stored in the memory component prior to being transmitted (but, stored in 114); and

transmitting graphics data (Fig. 4, 401) to the display device (To Display), wherein the graphics data is displayed contemporaneously with the second set of video data (402, 403).

Even though Boyce et al discloses the use of a plurality of data reduction technique, Boyce et al does not particularly disclose determining whether a resource constrained mode is to be initiated, and responsive to determining that the resource constrained mode is to be initiated, initiating the resource constraint mode.

However, Kalra et al teaches a scalable media delivery system, comprising determining whether a resource constrained mode is to be initiated, and responsive to determining that the resource constrained mode is to be initiated, initiating the resource constraint mode (col. 17, lines 25-55).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing Boyce et al's decoders to incorporate the concepts as above as taught by Kalra et al, thereby efficiently scaling streamed video data for a display on television.

Regarding claims 39 and 52, Boyce et al discloses the memory component being coupled to a video decoder (Fig. 1).

Regarding claims 53-54, Boyce et al discloses a video decoding system and a method for adapting to resource constraints, comprising:

foregoing decoding of portions of a first set of compressed pictures (Fig. 1, 126; Fig. 4, 403), each of the pictures being at a first spatial resolution (112);

retrieving from a memory component, a second set of compressed pictures (Fig. 4, 399);

storing in a second memory component, a third set of decoded pictures (401) corresponding to the second set of compressed pictures, each of the third set of pictures being at the first spatial resolution (Fig. 4, 404);

retrieving from the memory component, the third set of pictures (Fig. 4, 399);

scaling the third set of pictures into a fourth set of pictures at a second spatial resolution smaller than the first spatial resolution (402);

transmitting the fourth set of pictures to a display device (Fig. 4, To Display); and

transmitting graphics data (Fig. 4, 401) to the display device (To Display), wherein the graphics data is displayed contemporaneously with the second set of video data (402, 403).

Boyce et al does not utilize a single memory component, but rather two separate memory components as discussed above.

However, it would have been obvious to one of skill in the art to readily recognize that two separate memory components can be integrated into one bigger memory component, thereby the fourth set of pictures being not stored in the memory component prior to being transmitted, since the integrated memory would be placed adjacent to the decoder.

Furthermore, Boyce et al does not particularly disclose determining whether a resource constrained mode is to be initiated, and initiating the resource constraint mode.

However, Kalra et al teaches a scalable media delivery system, comprising determining whether a resource constrained mode is to be initiated, and initiating the resource constraint mode (col. 17, lines 25-55).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing Boyce et al's decoders to incorporate the concepts as above as taught by Kalra et al, thereby efficiently scaling streamed video data for a display on television.

Regarding claims 55 and 58, Boyce et al discloses a video decoding system and a method for adapting to resource constraints, comprising:

receiving, in a memory component, video data including a first set of data and a second set of data, wherein the first and the second set comprise a first and a second complete pictures, respectively (Fig. 4, 399);

foregoing decoding of the second set of data (403);

retrieving the first set of video data from the memory component (Fig. 4, 399);

scaling the first set of video data into a third set of video data corresponding to a third video picture that is smaller than the first video picture (402);

transmitting the third set of video data to a display device (Fig. 4, To Display) wherein the third set of video data is not stored in the memory component prior to being transmitted (but, stored in 404); and

transmitting graphics data (Fig. 4, 404) to the display device (To Display), wherein the graphics data is displayed contemporaneously with the third set of video data (402).

Even though Boyce et al discloses the use of a plurality of data reduction technique, Boyce et al does not particularly disclose determining whether a resource constrained mode is to be initiated, and responsive to determining that the resource constrained mode is to be initiated, initiating the resource constraint mode.

However, Kalra et al teaches a scalable media delivery system, comprising determining whether a resource constrained mode is to be initiated, and responsive to determining that the resource constrained mode is to be initiated, initiating the resource constraint mode (col. 17, lines 25-55).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing Boyce et al's decoders to incorporate the concepts as above as taught by Kalra et al, thereby efficiently scaling streamed video data for a display on television.

Regarding claims 56-57 and 59-60, Kalra et al teaches foregoing decoding of all the pictures in a set of the video data corresponding to a first and/or a second type of picture/frame different than the first type, respectively (Fig. 9C, 224 and 244).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing Boyce et al's decoders to incorporate the concept as taught by Kalra et al, for foregoing decoding of all the pictures in the second set of the video data corresponding to a first and/or a second type of picture/frame different than the first type, thereby efficiently scaling streamed video data for a display on television.

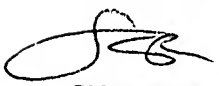
Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S An* whose telephone number is 571-272-7324.

7. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Please note the new fax number.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



SHAWN AN
PRIMARY EXAMINER

9/16/05